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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,191	01/26/2004	Masahito Nasu	1466.1083	6426
21171 7590 05/03/2007 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER LO, SUZANNE	
			ART UNIT 2128	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/763,191

Applicant(s)

NASU; MASAHITO

Examiner

Suzanne Lo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-7 have been presented for examination.

**Claim Rejections - 35 USC § 101**

2. Claims 4-5 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter; specifically, the claims are directed towards software *per se*.

**Claim Rejections - 35 USC § 102**

3. **Claims 1-7 are rejected** under 35 U.S.C. 102(b) as being clearly anticipated by **Unigraphics Solutions™** (“User’s Guide Getting Started with SOLID EDGE™ Ver. 8.0”).

As per claim 1, Unigraphics is directed to a partial reprojection method for reflecting a shape modified in a part model on a two-dimensional projection that is generated from an assembly model in a three-dimensional CAD system, the method comprising: grouping elements projected from the assembly model for each part (page 274, **Documenting Multiple Parts in One Draft Document** and page 150, **“Maintaining Relationships”** and **“How Relationships Work”**); adding attributions of each part information to the two-dimensional projection, the attributions including a line of sight and a position of the part (page 296 **Annotations and Associativity** and page 269 **Setting Projection Angle**, page 280 **“When you change parts and assemblies in part views, you can easily update the views so they match the new model geometry.”** and page 298, **Hole Table**); and specifying two-dimensional elements to be updated when updating the shape in the part model, so as to decide a projecting direction of the part model from the line of sight of each part included in the part information and to decide a generating position of the two-dimensional elements from the position of the part included in the part information (page 271 **Draft Views and Associativity**).

As per claim 2, Unigraphics is directed to *the* partial reprojection method according to claim 1, further comprising: adding attributions of projection information to the two-dimensional projection, the attributions including information about a loaded model and information about a model to be projected (page 282-283 **Retrieving Dimensions and Annotations** and page 280, 2<sup>nd</sup> paragraph, **“When a**

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**drawing view is out-of-date with respect to the 3-D model...”);** and deciding whether the entire reprojection is performed from the assembly model or a partial reprojection is performed for a part in accordance with the projection information (**page 282 Setting Retrieval Options**), wherein if the partial reprojection is performed, the attributions of the part information and the projection information are not changed but only the shape is changed (**page 282-283 Dimension Retrieval**).

As per claim 3, Unigraphics is directed to a partial reprojection device for reflecting a shape modified in a part model on a two-dimensional projection that is generated from an assembly model in a three-dimensional CAD system, the device comprising a reprojection processing portion for controlling a partial reprojection process and a modeling kernel for performing processes including a contour line process and a hidden line process, wherein the reprojection processing portion includes: an associative analysis processing portion analyzing information of the two-dimensional projection to be reprojected (**page 271 Draft Views and Associativity**); a drawing processing portion deciding three-dimensional elements to be projected in association with the modeling kernel from three-dimensional shape data and a projection condition (**page 271 Draft Views and Associativity**); a drawing data generation processing portion generating the decided three-dimensional elements as two-dimensional elements on the drawing (**page 271 Draft Views and Associativity**); and an associative setting processing portion grouping the generated two-dimensional elements for each part and for setting a relationship with conditions and the models (**page 282-283 Retrieving Dimensions and Annotations**).

As per claims 4-5, Unigraphics is directed to *an apparatus* in a three-dimensional CAD system enabling reflection of a shape modified in a part model on a two-dimensional projection generated from an assembly model, *said apparatus* comprising: *a controller to control the apparatus according to a process, comprising* the method steps of claims 1-2 and are therefore rejected under the same prior art.

As per claims 6-7, Unigraphics is directed to a *computer-readable medium storing a program* for a three-dimensional CAD system that enables reflection of a shape modified in a part model on a two-

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dimensional projection generated from an assembly model, the program *causing* a computer perform the method steps of claims 1-2 and are therefore rejected under the same prior art.

**Response to Arguments**

4. Applicant's arguments filed 01/31/07 have been fully considered but they are not persuasive.

5. The 35 U.S.C. 101 rejection of claims 6-7 have been withdrawn due to the amendments.

However, claims 4-5 are still rejected under 101 as the claimed invention is still directed towards non-statutory subject matter, specifically software *per se*.

6. Applicant argues that Unigraphics does not disclose, "two-dimensional elements to be updated when updating the shape in the part model, so as to decide a projecting direction of the part model from the line of sight of each part included in the part information and to decide a generating position of the two-dimensional elements from the position of the part included in the part information" (claim 1) or as Applicant alleges, "update a projection drawing from a state where the projection drawing is generated in an assembly drawing state and where only a part of a model in the assembly is loaded" (page 6 of Applicant's Remarks). In response to applicant's allegation that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, the claim language only requires *at least one part* in the assembly is loaded, which is anticipated by Unigraphics, but does not require *only one part* in the assembly is loaded.

In response to Applicant's argument that Unigraphics does not disclose "grouping elements projected from the assembly model for each part", Applicant is further directed to **page 150 of Unigraphics, "Maintaining Relationships" and "How Relationships Work"**.

In response to Applicant's argument that Unigraphics does not disclose a projection drawing that has a line of sight and position information for each component, Applicant is further directed to **page 280** **"When you change parts and assemblies in part views, you can easily update the views so they match the new model geometry."** and **page 298, Hole Table**. Unigraphics also inherently discloses adding attributions to each part information to the two-dimensional projection, the attributions including a line of sight and a position as the line of sight and position are required for each part in order to model and display said parts in the two-dimensional projections.

7. In response to Applicant's argument that Unigraphics does not disclose whether the assembly is loaded in internal processing for the entire reprojection or only a shape of the single loaded component is reflected, Applicant is further directed to **page 280, 2<sup>nd</sup> paragraph, "When a drawing view is out-of-date with respect to the 3-D model..."**.

8. Applicant's arguments in regards to claim 3 fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record is not relied upon because it is cumulative to the applied rejection.

These references include:

1. U.S. Patent No. 5,649,076 issued to Nishizaka et al. on 07/15/97.
2. U.S. Patent No. 7,016,749 B2 issued to Kuzumaki et al. on 03/21/06.
3. U.S. Patent No. 7,039,469 B1 issued to Haws et al. on 05/02/06.

10. All Claims are rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Lo whose telephone number is (571)272-5876. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on (571)272-2297. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Suzanne Lo  
Patent Examiner  
Art Unit 2128

SL  
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